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10 *Attorneys for Defendant,*

11 *Wells Fargo Bank, NA. (incorrectly identified as Wells Fargo Bank, N.A. f/k/a Wells Fargo*
12 *Home Mortgage Inc. f/k/a Norwest Mortgage Inc.).*

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 MARK A. SCHAUSS AND HILLARY S.
16 SCHAUSS,

17 Plaintiffs,

18 vs.

19 WELLS FARGO BANK, N.A.; UNITED
20 TITLE OF NEVADA; NATIONAL DEFAULT
21 SERVICING CORPORATION; WELLS
22 FARGO BANK, N.A. FKA WELLS FARGO
23 HOME MORTGAGE, INC. F/K/A NORWEST
24 MORTGAGE, INC.; LISA ROGERS; RESI
25 Finance Limited Partnership 2006-A Trust; and
26 DOES 1-25 CORPORATIONS, DOES and
27 ROES 1-25 Individuals, Partnerships, or anyone
28 claiming any interest to the property described
in the action,

Defendants.

Case No.: 3:12-cv-00075-RCJ-VPC

**ORDER TO DISMISS PLAINTIFF'S
COMPLAINT AND EXPUNGE LIS
PENDENS**

Hearing Date: May 29, 2012

Hearing Time: 10:00 a.m.

Defendants Wells Fargo Bank, N.A.'s Motion to Dismiss (Docket #5) and Motion to
Expunge Lis Pendens (Docket #6), having come on for hearing on May 29, 2012, with Donna
M. Osborn, Esq. appearing for Defendants Wells Fargo Bank, N.A. and Rick Lawton, Esq.
appearing for Plaintiffs, Mark and Hilary Schauss, the Court having reviewed the pleadings and

1 papers on file, being fully advised in the premises, having heard the arguments of counsel, and
2 good cause appearing therefore, the Court hereby grants Defendant its requested relief and
3 rules as follows:.

4
5 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that this matter, including
6 any and all claims, counterclaims, or crossclaims that were asserted or could have been
7 asserted by the Parties against one another, is dismissed with prejudice as to Defendants, Wells
8 Fargo Bank, N.A. (collectively referred to as "Defendants"), and all other Defendants.

9 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any Lis Pendens
10 recorded by Plaintiffs recorded on December 19, 2011 as Document Number 4068103 in the
11 Official Records of the Washoe County, Nevada in association with this action on the subject
12 property at 2430 Solitude Drive Reno, NV 89511, A.P.N. 049-604-04, legally described as:

13 LOT 12 IN BLOCK II OF LANCER ESTATES UNIT 6, ACCORDING TO THE
14 MAP THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF
15 WASHOE COUNTY, STATE OF NEVADA, ON MAY 18, 1994, AS FILE NO.
16 1798400, TRACT MAP NO. 3040.

17 is hereby cancelled, and this cancellation shall have the effect of an expungement of it and it
18 shall have from this day forward have no force or effect.

19 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each of the Parties
20 is to bear their own attorneys' fees and costs.

21 IT IS FURTHER ORDERED ADJUDGED AND DECREED that this case is hereby
22 closed.

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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to NRS
2 14.015(5), Plaintiff shall record a copy of this Order (or other appropriate notice) canceling the
3 Notices of Pendency of Action or Lis Pendens', with the Washoe County Recorder's Office
4 within five business days of its entry, and if there is a failure to do so, any party may record a
5 copy of this Order.

6 **IT IS SO ORDERED.**

7 DATED: June 12, 2012

8 
9
10 DISTRICT COURT JUDGE

11 Respectfully Submitted By:

12 WRIGHT, FINLAY & ZAK, LLP

13 
14 Donna M. Osborn, Esq.

15 Nevada Bar No. 006527

16 5532 South Fort Apache Road, Suite 110

17 Las Vegas, NV 89148

18 *Attorney for Defendant,*

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